

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

SOUTH HILLS CATHOLIC ACADEMY,

Plaintiff,

v.

PENNSYLVANIA DEPARTMENT OF
HUMAN SERVICES, VALERIE A.
ARKOOSH, in her official capacity as
Secretary of the Pennsylvania Department
of Human Services, OFFICE OF CHILD
DEVELOPMENT AND EARLY
LEARNING, BUREAU OF
CERTIFICATION, SHARON ARABIA, in
her official and individual capacities as
Acting Director, Office of Child
Development and Early Learning,
KRISTEN COURT, in her official and
individual capacities as a Certification
Representative for the Department of
Human Services, Office of Child
Development and Early Learning, Bureau of
Certification, JOYCE PURCELL, in her
official and individual capacities as a
Certification Representative for Department
of Human Services, Office of Child
Development and Early Learning, Bureau of
Certification, AMY CARNICELLA, in her
official and individual capacities as Counsel
for Department of Human Services, Office
of Child Development and Early Learning,
Bureau of Certification, and EUGENE
CUCCARESE, in his official and individual
capacities as Counsel for Department of
Human Services, Office of Child
Development and Early Learning, Bureau of
Certification,

Defendants.

: CASE NO.2:24-cv-00676

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: **ORDER TO SHOW CAUSE FOR**
: **PRELIMINARY INJUNCTION AND**
: **TEMPORARY RESTRAINING ORDER**

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: *Jury Trial Demanded*

**ORDER TO SHOW CAUSE FOR PRELIMINARY INJUNCTION AND
TEMPORARY RESTRAINING ORDER**

Upon (i) the Verified Complaint of Plaintiff South Hills Catholic Academy (the “School”) sworn to on the 6th day of May, 2024, and (ii) Plaintiff’s Memorandum of Law in Support of its Motion for Temporary Restraining Order, and (iii) to prevent further deprivation of Plaintiff’s constitutional rights and therefore continuing irreparable harm to Plaintiff as a result of the unlawful search by Defendants, and (iv) given that Plaintiff is likely to prevail on the merits, and (v) taking into consideration that the public’s interest in ensuring that unconstitutional searches by the government are prohibited, it is hereby:

ORDERED, that the above named Defendant[s] show cause before this Court, at Room _____, Joseph F. Weis, Jr. U.S. Courthouse, 700 Grant Street, Pittsburgh, PA 15219 on _____, _____ at _____ a.m./p.m. or as soon thereafter as counsel may be heard, why an order should not be issued pursuant to Rule 65 of the Federal Rules of Civil Procedure enjoining Defendant[s] during the pendency of this action from unlawfully searching the South Hills Catholic Academy; it is further

ORDERED, that sufficient reason having been shown pending the hearing of Plaintiff’s application for a preliminary injunction, but in no event beyond fourteen (14) days from the entry of this order, unless extended by the Court, Defendant[s] are temporarily restrained and enjoined from unlawfully searching the South Hills Catholic Academy; and it is further

ORDERED, that Plaintiff is not required to post security in any amount; and it is further

ORDERED, that electronic service of a copy of this order upon Defendant[s] or its counsel on or before _____, _____ at _____ at a.m./p.m. shall be deemed good and sufficient service thereof; and it is further

ORDERED, that opposing papers, if any, shall be served by electronic filing through CM/ECF upon Kathryn L. Clark, Esq., Alan Shuckrow, Esq., Gretchen E. Moore, Esq. and Strassburger McKenna Gutnick & Gefsky, 444 Liberty Avenue, Pittsburgh, PA 15222, attorney for the plaintiff, received at their office on or before _____, _____ at _____ a.m./p.m.

DATED: _____
Pittsburgh, Pennsylvania

United States District Judge